



Georgia

HOUSE OF REPRESENTATIVES

Thursday
February 28,
2019

DAILY REPORT

24th
Legislative
Day

House Budget & Research Office
(404) 656-5050

- The House will reconvene for its 25th Legislative Day on Friday, March 1 at 9:30 a.m.
- Six bills / resolutions are expected to be debated on the floor.

Today on the Floor

Rules Calendar

HB 31 General appropriations; State Fiscal Year July 1, 2019 - June 30, 2020

Bill Summary: House Bill 31, the Fiscal Year 2020 budget, is set by a revenue estimate of \$27.5 billion, an increase of \$1 billion or 3.95% over the FY 2019 original budget. K-12 Education is designated to receive 63% of the new revenue. For the total budget, all education agencies receive 55% of available funds, followed by 22% budgeted for health and human services agencies, 8% for public safety activities and the remaining 15% for economic development and general government agencies.

The bill and tracking sheet may be found on the House Budget and Research Office website:
<http://www.house.ga.gov/budget>.

Authored By: Rep. David Ralston (7th)

House Committee: Appropriations

Floor Vote: Yeas: 155 Nays: 13

Rule Applied: Modified-Open

Committee Action: 02-27-2019 Do Pass by Committee Substitute

Amendments:

HB 64 Parent and child; require child welfare agencies to make efforts to determine whether a parent or guardian of a child who is the subject of abuse allegations is on active duty in the military

Bill Summary: House Bill 64 requires that the appropriate child welfare agency make efforts as soon as possible to notify the applicable military installation's family advocacy program in the event of a child abuse or neglect allegation involving an active-duty military parent or guardian.

Authored By: Rep. Brian Prince (127th)

House Committee: Juvenile Justice

Floor Vote: Yeas: 169 Nays: 0

Rule Applied: Modified-Structured

Committee Action: 02-14-2019 Do Pass by Committee Substitute

Amendments:

HB 68 Education; prohibit certain entities from being student scholarship organizations

Bill Summary: House Bill 68 amends O.C.G.A. 20-2A-2.1 by limiting the type of entity which can be a student scholarship organization. No entity which provides accreditation of elementary or secondary schools or is affiliated with an accreditation entity is eligible to be a student scholarship organization under this Code section.

Authored By: Rep. John Carson (46th)

House Committee: Education

Floor Vote: Yeas: 170 Nays: 1

Rule Applied: Modified-Structured

Committee Action: 02-21-2019 Do Pass

Amendments:

HB 134 County law libraries; repeal a population provision regarding the disposition of law library funds in certain counties

Bill Summary: This bill repeals the chapter relating to the collection and disposition of funds collected by counties with a population of 950,000 or more according to the United States decennial census from 1980 and onward for maintenance of a county law library where no county law library fund exists.

Authored By: Rep. Bonnie Rich (97th)
House Committee: Judiciary

Rule Applied: Modified-Structured
Committee Action: 02-22-2019 Do Pass

Floor Vote: Yeas: 168 Nays: 0

Amendments:

HB 197 Office of Planning and Budget; provide for the establishment of the Strategic Integrated Data System

Bill Summary: HB 197 creates the Georgia Data Analytic Center (GDAC Project), which is to be established by the Office of Planning and Budget (OPB) by September 1, 2019. The GDAC Project will be capable of securely receiving, maintaining, and transmitting data in accordance with the HIPPA privacy act. OPB will have oversight of the GDAC Project. Any state agency or department that creates, receives, or maintains publicly-supported program, fiscal, or health data must transmit or allow access to its data as is deemed necessary to the GDAC Project, as long as sharing the data does not violate state or federal law. The GDAC Project may receive funding from private grants, fees, federal or local grants, or state appropriations. Beginning July 1, 2020, and continuing each year after, the OPB must publish a report outlining the implementation and uses of the data collected by the GDAC Project.

Authored By: Rep. Katie Dempsey (13th)
House Committee: Budget and Fiscal Affairs Oversight

Rule Applied: Modified-Structured
Committee Action: 02-20-2019 Do Pass by Committee Substitute

Floor Vote: Yeas: 140 Nays: 28

Amendments:

HB 277 Insurance; allow good will from insurer acquisitions to be treated as an asset

Bill Summary: House Bill 277 allows "good will" from insurer acquisitions to be treated as an asset. This includes "good will" up to 10 percent of the acquiring insurer's capital and surplus shown on its statutory balance sheet for the most recently filed statement with the Insurance commissioner adjusted to exclude any net positive good will, electronic data processing equipment, operating system software, and net deferred tax asset.

Authored By: Rep. John Carson (46th)
House Committee: Insurance

Rule Applied: Modified-Structured
Committee Action: 02-20-2019 Do Pass by Committee Substitute

Floor Vote: Yeas: 162 Nays: 0

Amendments:

HB 321 Health; hospital Medicaid financing program; extend sunset provision

Bill Summary: HB 321 changes the sunset date on the hospital provider payment program from June 30, 2020 to June 30, 2025.

Authored By: Rep. Jodi Lott (122nd)
House Committee: Appropriations

Rule Applied: Structured
Committee Action: 02-20-2019 Do Pass

Floor Vote: Yeas: 147 Nays: 19

Amendments:

Postponed Until Next Legislative Day

HB 257 Council of Magistrate Court Judges; organization and provide for officers; increase authority

Bill Summary: The organizational governing structure of the Council of Magistrate Court Judges is removed. Provisions related to the assumption and removal from office along with the expiration of terms for magistrates that are dated before 1985 are eliminated. The chief magistrate is still elected to a four-year term and all other magistrates are still appointed by the chief judge upon majority vote by the judges of superior court. The bond for faithful performance of duties is increased from \$25,000 to \$100,000. The qualifications for magistrates are amended. The county residency requirement preceding the beginning of their term is increased from one to two years, and magistrates must: remain a resident of the county they serve during their term of office; be a citizen of the United States; be registered to vote; and have a high school or general educational development diploma. Lastly, the provisions related to justices of the peace, which have been superseded by the magistrate Code section since 1983, have been removed.

Authored By: Rep. Mitchell Scoggins (14th)

Rule Applied: Modified-Structured

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 25th Legislative Day, Friday, March 1, and bills may be called at the pleasure of the Speaker.

HB 39 Physical Therapy Licensure Compact Act; enter into an interstate compact

Bill Summary: House Bill 39 enters the state of Georgia into the 'Physical Therapy Licensure Compact Act'. It authorizes the State Board of Physical Therapy to administer the compact for the state. The bill is designed to increase public access to physical therapy services by providing for the mutual recognition of other member state licenses. It also gives the board the power to conduct criminal history record checks as determined by the board through the Georgia Crime Information Center and Federal Bureau of Investigation for the purpose of issuing licenses.

Compact state members create a joint public agency known as the "Physical Therapy Compact Commission," which shall have the power to promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The commission has the power to purchase and maintain insurance and bonds, hire employees, borrow money, and perform other necessary functions. Each member state's licensing board shall select one delegate to be a member of the commission. The delegate must be a member of the licensing board, in addition to being a physical therapist, a physical therapist assistant, public member, or the board administrator.

The commission may levy and collect an annual assessment from each member state or impose fees on other parties to cover the cost of operations of the commission and staff. The aggregate annual assessment amount shall be allocated by formula to be determined by the commission. The commission shall not incur any obligations until securing adequate funds, nor shall the commission pledge the credit of any member state.

Authored By: Rep. D. C. Belton (112th)
House Committee: Interstate Cooperation

Rule Applied: Modified-Structured
Committee Action: 02-26-2019 Do Pass

HB 193 Banking and finance; banks and credit unions to offer savings promotion raffle accounts in which deposits to a savings account enter a depositor in a raffle; allow

Bill Summary: HB 193 allows banks and credit unions (financial institutions) to offer "savings promotion raffle accounts," which is a contest where the participant or depositor deposits a specified amount of money into a savings account or other savings program offered by the financial institution where each entry or ticket will have an equal chance of being drawn to win a specified prize. The financial institution must conduct the raffle in a manner that is safe and sound and not misleading as to chances of winning. All depositors must be provided with information on the terms of the raffle and the verifiable retail value of each prize that a depositor has a chance of receiving, including the odds of receiving a prize and information regarding any fees or penalties associated with such an account. The financial institution conducting such raffles must also maintain all records the Department of Banking and Finance determines are necessary to conduct an examination or audit of these raffles, and may contract third-party service providers to handle the administrative details of these raffles.

These institutions may not charge any fees associated with the savings account or other savings program which underlies a savings promotion raffle account that are in excess of the fees charged for the most similar savings accounts or other programs offered by the institution. Additionally, the bill exempts savings promotion raffles from the definition of "lottery".

Authored By: Rep. Emory Dunahoo (30th)
House Committee: Banks & Banking

Rule Applied: Modified-Structured
Committee Action: 02-27-2019 Do Pass by Committee Substitute

HB 279 Revenue and taxation; certain law enforcement officers may use department vehicles relative to certain approved off-duty jobs; provide

Bill Summary: House Bill 279 allows certified law enforcement officers appointed by the commissioner of the Department of Revenue as a special agent or enforcement officer of the department to use a department motor vehicle while working an off-duty job if that job requires vested police powers as a condition of employment. These jobs must have prior approval of the commissioner and must be determined by the commissioner to be in the furtherance of the department's mission and service to the state.

Authored By: Rep. Eddie Lumsden (12th)

House Committee: Public Safety & Homeland Security

Rule Applied: Modified-Structured

Committee Action: 02-25-2019 Do Pass

HB 281 Crimes and offenses; pimping and pandering; increase penalty provisions

Bill Summary: HB 281 increases the punishment for both pimping and pandering. On the first offense for either pimping or pandering, the amount of imprisonment that cannot be suspended, stayed, or probated is increased to 72 hours. On the second or subsequent offense, the penalty is increased to a felony with a term of imprisonment not less than one year nor more than 10 years.

Authored By: Rep. Teri Anulewicz (42nd)

House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured

Committee Action: 02-22-2019 Do Pass by Committee Substitute

HB 290 Health; pilot program to provide preexposure assistance to persons at risk of HIV infection; establish

Bill Summary: House Bill 290 establishes a three-year pilot program to provide pre-exposure prophylaxis drug assistance or services to people who have tested negative for HIV but have risk factors that may expose them to the virus.

The pilot program will be conducted in counties identified as at risk for outbreaks of HIV as a result of a high rate of opioid-related use. No later than December 31, 2022, the Department of Public Health shall submit a detailed written report on the implementation and effectiveness of the pilot program.

Authored By: Rep. Sharon Cooper (43rd)

House Committee: Health & Human Services

Rule Applied: Modified-Structured

Committee Action: 02-19-2019 Do Pass by Committee Substitute

HB 396 Crimes and offenses; unlawful for a person with intent to defraud a creditor's rights to deed or otherwise transfer title to real property to another person without the knowledge or consent of such other person; provide

Bill Summary: This bill makes it a misdemeanor to hinder, delay, impair, or defraud a creditor's rights by transferring title to property to another person without that person's knowledge or consent, except when the recipient is a related minor.

Authored By: Rep. Dale Washburn (141st)

House Committee: Judiciary

Rule Applied: Modified-Open

Committee Action: 02-26-2019 Do Pass by Committee Substitute

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Education Committee

HB 1 Senator Eric Johnson Scholarship Act; enact

Bill Summary: House Bill 1 amends O.C.G.A. 20-2-2110 to rename the 'Georgia Special Needs Scholarship Act' the 'Senator Eric Johnson Scholarship Act' after the senator who created the scholarship during the 2007 Legislative Session.

Authored By: Rep. Jesse Petrea (166th)
House Committee: Education

Committee Action: 02-28-2019 Do Pass

HB 12 Quality Basic Education Act; post sign containing telephone number to receive reports of child abuse; require every public school

Bill Summary: House Bill 12 creates O.C.G.A. 20-2-324.4 by adding a new Code section requiring the posting of signs which contain the toll-free number to report incidents of child abuse in a visible, public area of a school.

Authored By: Rep. Ricky Williams (145th)
House Committee: Education

Committee Action: 02-28-2019 Do Pass

Energy, Utilities & Telecommunications Committee

HB 243 Public utilities and public transportation; limitations on fees that may be charged for installation of telephone facilities; provide

Bill Summary: House Bill 243 provides that if a telephone company does not have retail end-user customers within a municipality, but does have small cells that produce actual recurring revenue through a lease, then the telephone company shall pay the municipality 3 percent of its revenues for the use of the rights of way to run the fiber to the small cell. If the company does not receive actual recurring revenue, the company shall pay a rate set within the rules and regulations promulgated by the Georgia Department of Transportation.

Authored By: Rep. Lee Hawkins (27th)
House Committee: Energy, Utilities & Telecommunications

Committee Action: 02-28-2019 Do NOT Pass

HB 499 Public utilities and public transportation; use of electric easements for broadband services; permit

Bill Summary: House Bill 499 amends Title 46, relating to electric membership corporations (EMCs), so as to state the General Assembly finds a person providing broadband services should be permitted to use existing electric easements to provide or expand access to broadband services.

Authored By: Rep. Trey Kelley (16th)
House Committee: Energy, Utilities & Telecommunications

Committee Action: 02-28-2019 Do Pass by Committee Substitute

Game, Fish, & Parks Committee

HB 501 Game and fish; provide for mariculture development

Bill Summary: HB 501 allows for the board of the Department of Natural Resources to create rules regarding the shellfish industry, including the following: size, possession, and creel limits; season and siting criteria; number of leases issued per year; and the importation of shellfish, shellfish tissues, or shells into the state. Following the establishment of a harvesting season, master harvesters may apply for permission to harvest during the closed season.

The Department of Natural Resources is to continue leasing intertidal water bottoms using a bidding system and shall offer leases of subtidal water bottoms using a lottery system.

HB 501 requires an individual to obtain a permit establishing the maximum number of cages that may be deployed. Permits are to be approved in 25 cage increments at a fee of \$1 per cage.

Authored By: Rep. Jesse Petrea (166th)
House Committee: Game, Fish, & Parks

Committee Action: 02-28-2019 Do Pass

SB 72 Game and Fish; hunting on wildlife management areas; prohibition; remove

Bill Summary: SB 72 removes county-specific restrictions on maximum open hunting seasons for opossums and raccoons, subsequently setting a statewide maximum open season of October 15 to February 29 for both animals. An archery extension to the maximum open season concerning deer for specific counties is removed, and the Department of Natural Resources may extend the season for archery by rule to January 31 for any region, county, or locale. The bill sets a maximum deer bag limit of 12, except by rule of the department for deer taken on department managed lands. The department may exempt a bear taken on department managed lands from the maximum bag limit.

SB 72 also defines "air gun" as any pistol, handgun, or shoulder-held device of not less than 0.30 caliber that propels a projectile utilizing unignited compressed air or gas. The bill allows for the use of an air gun for hunting big game during primitive weapon hunts, primitive weapon seasons, and firearm seasons. This portion of the bill shall be reviewed by the General Assembly during the 2024 Legislative Session and stand repealed on July 1, 2024 without action from the General Assembly.

The bill allows for the use of feed or bait to lure feral hogs so long as the feed or bait is not placed in a manner that prohibits the hunting of any species of wildlife on any adjoining property.

The bill removes a prohibition on the use of silencers or suppressors and replaces "conservation ranger" with "game warden".

Senate Bill 72 designates the shoal bass as the official riverine sport fish of Georgia.

Authored By: Sen. Tyler Harper (7th)
House Committee: Game, Fish, & Parks

Committee Action: 02-28-2019 Do Pass by Committee Substitute

SB 99 Department of Natural Resources' Online Licensing System; allow applicants to make an anatomical gift; provide

Bill Summary: Senate Bill 99 allows for any person who applies for a hunting, fishing, or trapping license to make an anatomical gift. The Department of Natural Resources may make the organ donation information available to procurement organizations as provided by the 'Georgia Revised Uniform Anatomical Gift Act'.

Authored By: Sen. Tyler Harper (7th)
House Committee: Game, Fish, & Parks

Committee Action: 02-28-2019 Do Pass

Juvenile Justice Committee

HB 478 Social services; improvements to the operation of the child abuse registry; provide

Bill Summary: HB 478 improves and streamlines the operation of the child abuse registry. Minors are removed from the registry. The bill provides that when an abuse investigator, through preponderance of the evidence, has found that abuse has occurred, a copy of the investigator's report must be included in the child abuse registry unless a hearing to dispute the report is requested within 30 days. Moreover, the accused child abuser must be given notice of the report, informed of the right to a hearing, the process involved in the hearing, and the consequences of being named in the child abuse registry. HB 478 refines the process for expungement from the registry based on the nature and circumstances of the crime as well as the risk to the community that such individual poses.

Authored By:	Rep. Mandi Ballinger (23rd)	Committee	02-28-2019 Do Pass
House	Juvenile Justice	Action:	
Committee:			

Motor Vehicles Committee

HB 339 Special license plates; Alabama A&M University; establish

Bill Summary: House Bill 339 creates a specialty license plate supporting Alabama A&M University.

Authored By:	Rep. Dewey McClain (100th)	Committee	02-28-2019 Do Pass
House	Motor Vehicles	Action:	
Committee:			

HB 342 Motor vehicles; issuance of a traffic citation to a vehicle owner in lieu of the individual operating the motor vehicle in certain instances; provide

Bill Summary: House Bill 342 authorizes law enforcement officers to issue the violation citation to the vehicle owner, rather than the vehicle driver, when issuing citations for an unregistered vehicle, vehicle without proper license plate, or driving an unsafe vehicle if the owner is present at the time of issuance.

Authored By:	Rep. Matt Dollar (45th)	Committee	02-28-2019 Do Pass
House	Motor Vehicles	Action:	
Committee:			

Natural Resources & Environment Committee

HB 93 Water pollution and surface-water use; notice to local governing authorities prior to the dewatering of coal combustion residual surface impoundments; provide

Bill Summary: HB 879 requires that the owner or operator of a coal combustion residual (CCR) surface impoundment provide written notice to the director of the Environmental Protection Division (EPD) and the local governing authority within three days of the commencement of a dewatering operation. The director of EPD must post a public notice on the division's website within seven days of receiving the notice. The owner or operator of the CCR surface impoundment must also post CCR rule compliance data in a public notice on their website, as well as publish such notice in the legal organ of the affected county within 14 days.

Authored By:	Rep. Ricky Williams (145th)	Committee	02-28-2019 Do Pass by Committee
House	Natural Resources & Environment	Action:	Substitute
Committee:			

HB 201 Board of Natural Resources; promulgate rules and regulations regarding anchoring certain vessels within estuarine areas; authorize

Bill Summary: HB 201 prohibits live-aboard vessels from discharging sewage into estuarine areas of the state. Individuals operating or floating live-aboard vessels with marine toilets must create and maintain records for at least one year containing the names and locations of pump-out facilities used. Pump-out facilities are to create and maintain records for at least one year that indicate the name and vessel registration number, date of pump-out, and verification of pump-out.

The bill gives the Department of Natural Resources the authority to adopt rules and regulations relating to overnight or long-term anchoring, as well as to establish anchorage areas within estuarine areas of the state.

Authored By:	Rep. Don Hogan (179th)		
House	Natural Resources & Environment	Committee	02-28-2019 Do Pass by Committee
Committee:		Action:	Substitute

HB 223 Conservation and natural resources; provide for an exception to notification of spills or releases; provide for definitions

Bill Summary: House Bill 223 inserts 'animal waste' and its definition into Code Section 12-14-1, which concerns oil or hazardous material or releases.

Authored By:	Rep. Robert Dickey (140th)		
House	Natural Resources & Environment	Committee	02-28-2019 Do Pass by Committee
Committee:		Action:	Substitute

HB 382 Outdoor stewardship; eligible applicants for and recipients of the grants; redefine

Bill Summary: House Bill 382 aligns the language concerning qualified local governments or recreation boards regarding the Georgia Outdoor Stewardship Trust Fund with the rules and regulations of the Department of Natural Resources.

HB 382 states that no more than five percent of all funds received by the Georgia Outdoor Stewardship Trust Fund may be used to administer the program.

Authored By:	Rep. Jon Burns (159th)		
House	Natural Resources & Environment	Committee	02-28-2019 Do Pass
Committee:		Action:	

HB 445 Conservation and natural resources; shore protection; revise various provisions

Bill Summary: House Bill 445 provides new determinants for establishing boundaries associated with the 'Shore Protection Act.' The boundaries are to be drawn as follows: 25 feet landward from the closest sand dunes to shore; 25 feet landward from the crest of a shoreline stabilization activity; or, in the absence of sand dunes or stabilization structures, 25 feet landward from the ordinary high-water mark for private property or 100 feet landward from the ordinary high-water mark for state property.

The bill creates a minor activity permit that allows for alterations to property if the impact is less than one-third of the portion of the property within the jurisdictional boundary.

Authored By:	Rep. Don Hogan (179th)		
House	Natural Resources & Environment	Committee	02-28-2019 Do Pass
Committee:		Action:	

Transportation Committee

HB 215 Georgia Scenic Trails System; electric assisted bicycles; provide for permitted operation

Bill Summary: House Bill 215 updates the policies which guide the Department of Natural Resources in creating and administering the Georgia Scenic Trails system to state that bicycle trails should provide protection for cyclists from traffic capable of moving over 20 miles per hour and to include electric assisted bicycles in the guidelines relating to bikeways. The bill also allows for electric assisted bicycles to be used in bicycle lanes. The legislation establishes three classes of electric assisted bicycles.

Class I and Class II are authorized to be operated on any bicycle path or shared use path where bicycles are permitted to operate unless a local governing authority or state agency prohibits their use on those paths within its jurisdiction. Class III electric assisted bicycles are not permitted on a bicycle path or shared use path unless the path is within or adjacent to a highway, or if the use on these paths is authorized by the local governing authority or state agency with jurisdiction over the path.

Any electric assisted bicycle manufactured after January 1, 2020 is required to have a permanently affixed label in a prominent location which identifies the class of the bike. An additional equipment requirement is a speedometer for the Class III models. The operation of a Class III bike is prohibited for any person under the age of 15. Any operator or passenger must wear a bicycle helmet and no rental or lease of a Class III bicycle may be approved unless the person has a bicycle helmet in their possession. Finally, the bill removes electric assisted bicycles from the Code section prohibiting use upon the highways of the state.

Authored By: Rep. Teri Anulewicz (42nd)
House Committee: Transportation

Committee Action: 02-28-2019 Do Pass by Committee Substitute

HR 368 Interstate 14; construction; urge

Bill Summary: House Resolution 368 is a resolution urging the construction of Interstate 14.

Authored By: Rep. Richard Smith (134th)
House Committee: Transportation

Committee Action: 02-28-2019 Do Pass

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.

To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Friday, March 01, 2019

8:00 AM	AGRICULTURE & CONSUMER AFFAIRS	403 CAP
8:00 AM	JUDICIARY (NON-CIVIL)	132 CAP
8:00 AM	SPECIAL COMMITTEE ON ACCESS TO QUALITY HEALTH CARE	341 CAP
8:00 AM	Lumsden Subcommittee on Public Safety and Homeland Security	415 CLOB
8:30 AM	Transportation Resolutions Subcommittee	506 CLOB
8:30 AM	REGULATED INDUSTRIES	606 CLOB
9:30 AM	FLOOR SESSION (LD 25)	House Chamber
12:00 PM	ECONOMIC DEVELOPMENT & TOURSIM	406 CLOB
1:00 PM	JUDICIARY (CIVIL)	132 CAP
1:00 PM	WAYS AND MEANS	606 CLOB
1:00 PM	HIGHER EDUCATION	506 CLOB